

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re Terrorist Attacks on September 11, 2001	03 MDL 1570 (GBD)(SN) ECF Case
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This document relates to:

Ashton, et al. v. al Qaeda Islamic Army, et al., 02-cv-6977 (GBD)(SN) (and member case
Bauer et al. v. al Qaeda Islamic Army, et al., 02-cv-7236)
Ashton, et al. v. Kingdom of Saudi Arabia, 17-cv-02003 (GBD)(SN)
Ryan, et al. v. Islamic Republic of Iran, et al., 20-cv-00266 (GBD) (SN)

**DECLARATION OF JOHN F. SCHUTTY, ESQ.
IN SUPPORT OF APPLICATION TO SUBSTITUTE COUNSEL**

John F. Schutty, pursuant to 28 U.S.C. § 1746, declares under the penalty of perjury under the laws of the United States of America, that the following is true and correct:

1. I am an attorney admitted to practice before this Court. I submit this Declaration in support of a consent application (Local Civil Rule 1.4) to substitute my law firm, the Law Office of John F. Schutty, P.C., in the place and stead of the law office of Wiggins, Childs, Pantazis, Fisher & Goldfarb LLC, on behalf of Plaintiff, Patricia Ryan, Individually as Spouse and as Personal Representative of the Estate of John Ryan, Jr. Deceased, and the adult children of Decedent John Ryan, Jr., Plaintiffs Laura Ryan, Colin Ryan and Kristen Ryan. I am personally familiar and attest to the truth of the facts that follow below.

2. This MDL litigation is still in the midst of the discovery that is being handled by a Plaintiffs' Steering Committee, so there will be no prejudice to the Plaintiffs or the Defendants by the requested substitution of the Plaintiffs' counsel.

3. The attached "Consent" shows that these Plaintiffs, their outgoing attorney (Dennis Pantazis, Esq.), their incoming attorney (John F. Schutty, Esq.), and plaintiffs' MDL Liaison Counsel (James Kreindler, Esq.) all consent to the substitution.

4. Similar “Consents” have previously been filed for Plaintiffs Irene Dickey, Dara Seaman, Allison Wallice, Joanne Kelly, Susan Sliwak, Jacqueline Eaton-Garland, Lisa O’Brien and Eileen Lynch; those “Consents” also were appropriately signed by those Plaintiffs and the outgoing attorneys and were previously “so-ordered” by this Court.

5. In light of Plaintiffs’ wishes, and their attorneys’ consent, I respectfully request that this substitution be completed without delay, by the court “so-ordering” the attached “Consent.”

6. Since these plaintiffs were originally plaintiffs in the *Bauer et al. v. al Qaeda Islamic Army, et al.*, 02-cv-7236 (GBD) action, which was merged into the *Ashton* Master Complaint, *Ashton, et al. v. al Qaeda Islamic Army, et al.*, 02-cv-6977 (GBD)(SN), these plaintiffs wish to continue their presence in the *Ashton* Complaint and the declarant respectfully asks that the court clerk remove the “termination” phrase next to their names in the *Ashton* docket as these plaintiffs were never dismissed from *Ashton* by any order issued by the Court (a transfer from *Ashton* to a new Complaint was suggested – MDL ECF# 5374 – but that transfer and filing was never consummated except as to the Defendant Islamic Republic of Iran).

7. In requesting this substitution, the Ryan Plaintiffs also ask that the Court advise the Clerk of Court to transfer the Ryan Plaintiffs’ claims asserted against the Defendant Islamic Republic of Iran back to the *Ashton* Master Complaint (*Ashton et al. v. al Qaeda Islamic Army, et al.*, 1:02-cv-6977 (GBD)(SN)) from *Ryan, et al. v. Islamic Republic of Iran, et al.*, 1:20-cv-00266 (GBD) (SN) – specifically, all claims asserted against Iran in that *Ryan* action, including an “Order of Partial Final Default Judgments” dated February 21, 2020 (ECF #10 in *Ryan, et al. v. Islamic Republic of Iran, et al.*, 1:20-cv-00266 (GBD) (SN); MDL ECF #5999).

8. No retaining or charging liens have been claimed by the outgoing attorneys.

Dated: New York, New York
January 20, 2023

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

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